

CEM

FILED
 UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

08 FEB -5 AM 10:12

Case No. 08 MJ 0324
 DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Def 1) Hector MAYORQUIN-Escobedo,
 Def 2) Juan Ramon ESQUIVAS-Salomon

Defendant(s)

Magistrate Case No. 08 MJ 0324

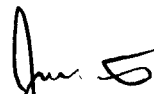
COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)
 Transportation of Illegal
 Aliens

The undersigned complainant, being duly sworn, states:

On or about **February 3, 2008** within the Southern District of California, defendants **Hector MAYORQUIN-Escobedo and Juan Ramon ESQUIVAS-Salomon**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Jorge Ignacio AGUILERA-Coronado, Marco Antonio VASQUEZ-Garcia, and Luis Armando AVILA-Garcia** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 5TH DAY OF FEBRUARY, 2008.



Ruben B. Brooks

UNITED STATES MAGISTRATE JUDGE

CEM

CONTINUATION OF COMPLAINT:

- 1.) **Hector MAYORQUIN-Escobedo**
- 2.) **Juan Ramon ESQUIVAS-Salomon**

PROBABLE CAUSE STATEMENT

The complainant states that **Jorge Ignacio AGUILERA-Coronado**, **Marco Antonio VASQUEZ-Garcia**, and **Luis Armando AVILA-Garcia** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 3, 2008, at approximately 10:15 A.M., Border Patrol Agents M. Owens and A. Padilla were advised of a call from a resident of Boulevard, California of six suspected illegal immigrants running into a black minivan with Arizona license plate near the Golden Acorn Casino. The report indicated that people ran directly from the heavy brush into the van parked alongside a rural road and was last seen traveling westbound on Old Highway 80. Agents Owens and Padilla responded to the call and observed a vehicle matching the description of the reported smuggling vehicle traveling west on I-8 at approximately 10:35 A.M. Agents Owens and Padilla entered onto I-8, traveling westbound and followed the suspected vehicle.

Agent Owens made the following observations, the vehicle was a black minivan with Arizona license plates, and the vehicle appeared to be heavily laden. Three visible occupants could be seen through the rear window and no other cargo was visible at the time.

Agent Owens initiated a traffic stop by activating his overhead emergency lights and siren for the purpose of conducting an immigration inspection of the occupants. The black van yielded near Alpine, California. As Agents Owens and Padilla approached the van, the driver of the black van, later identified as defendant #1, **Hector MAYORQUIN-Escobedo**, immediately and spontaneously replied by saying "I give up, I give up. Yeah I'm smuggling all these guys" as he pointed to the rear of the van. Agent Owens secured defendant #1 at the time; Agent Padilla then approached the passenger side of the van and observed a large group of people attempting to hide from view in the rear passenger compartment of the minivan. Agent Padilla identified himself as a Border Patrol Agent to the remaining occupants of the van. Agent Padilla questioned each person in the van as to their citizenship. The front seat passenger, later identified as defendant #2, **Juan Ramon ESQUIVIAS-Salomon**, replied that he was a United States citizen. The twelve passengers in the rear of the van replied by admitting that they were citizens of Mexico. None of the aliens possessed immigration documents at the time and further admitted to recently crossing into the United States by crawling under the border fence and walking north. At approximately 11:15 A.M., the defendants and the twelve smuggled aliens were arrested and transported to the Campo Border Patrol Station for processing.

CONTINUATION OF COMPLAINT:**1.) Hector MAYORQUIN-Escobedo****2.) Juan Ramon ESQUIVAS-Salomon****DEFENDANT #2 STATEMENT (Juan Ramon ESQUIVAS-Salomon):**

The defendant was advised of his Miranda Rights, which he stated he understood and was willing to answer questions without having a lawyer present. The defendant stated that he is a citizen of the United States. The defendant stated that he has been successful four times in smuggling people to Los Angeles and was paid approximately \$150.00 to \$300.00 per alien smuggled. The defendant admitted to being the co-pilot for this smuggling event and that he expected to make approximately \$450.00 today. ESQUIVAS stated that MAYORQUIN, unexpectedly arrived at his home on February 3, 2008 and persuaded him to assist with picking up six illegal aliens in one of the usual locations near the border. The defendant stated that he did not expect to pick up twelve people in a single vehicle.

The defendant stated that he had been in the border area for the sole purpose of picking up illegal aliens and transporting them to Los Angeles, California.

MATERIAL WITNESSES STATEMENTS:

Material witnesses **Jorge Ignacio AGUILERA-Coronado**, **Marco Antonio VASQUEZ-Garcia**, and **Luis Armando AVILA-Garcia** agree in summary that they are citizens and nationals of Mexico illegally present in the United States. They admit to entering the United States illegally. The material witnesses stated that they were to pay \$1,500.00 to \$1,600.00 (US) to be smuggled into the United States. Material witnesses AGUILERA-Coronado and VASQUEZ-Garcia were shown a photographic line up and were able to identify defendant #1 **Hector MAYORQUIN-Escobedo** as the driver of the vehicle.